



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/090,643

03/06/2002

Jean-Yves Villet

Q68481

6080

23373

7590

12/23/2005

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER

THERIAULT, STEVEN B

ART UNIT

PAPER NUMBER

2179

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. This action is responsive to the following communications: Amendment filed on 09/15/2005.

This action is made Final.

2. Claims 1-23 are pending in the case. Claims 1 and 21 are the independent claims.

Claim Rejections - 35 USC § 102

3. **The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:**

- a. A person shall be entitled to a patent unless –

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-7, 9-10, 13-16 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Gupta et al (hereinafter Gupta) U.S. Patent No. 6,738,081, issued May 18, 2004 and filed Dec. 22, 2000.**

In regard to **Independent claim 1**, Gupta teaches *a method for pointing at information in a multi-dimensional space, comprising the steps of:*

- *Setting a portion of a full screen as a pointing screen;* (Gupta Figures 2-6 and column1, lines 60-67) Gupta expressly teaches the user may define a selected region (mask) over the selected region of the display, where the mask determines at least a part of the profile of the selected region.

Art Unit: 2179

- *Determining whether desired information to be pointed at is included in the set pointing screen; (Gupta Figures 2-6 and column 2, lines 5-25) Gupta teaches the user determines through the use of an input device where the mask rests on the image.*
- *When it is determined that the desired information is not included in the pointing screen, moving the pointing screen so that the desired information is included in the pointing screen; and (d) Pointing at the desired information included in the pointing screen when it is determined that the desired information is included in the pointing screen or after step (c), wherein at least one of steps (a), (c), and (d) is performed by a user's motion in at least one direction selected from up, down, forward, backward, to the left, and to the right (Gupta column 3, lines 30-47 and Figure 4 and 5) Gupta teaches the ability to adjust both the horizontal and vertical limits of the masks as well as a drag and drop function of moving the masks up, down, left, right and any combination thereof.*

With respect to **dependant claim 2**, Gupta teaches *the full screen includes a plurality of pieces of information.* (Gupta Figure 2-6) Gupta shows a plurality of pieces of information in which the display is made up of a plurality of selectable sections that each contains more detailed information.

With respect to **dependant claim 3**, Gupta teaches the following sub-steps:

- *Determining whether the desired information is located on the left or right of the pointing screen, when it is determined that the desired information is not included in the pointing screen; (Gupta column 3, lines 8-10) Gupta teaches the user manipulates the masks based on the desired selection area size and where the user manipulates the mask by using an input device.*
- *Moving the pointing screen to the left so that the desired information is included in the pointing screen, when it is determined that the desired information is located on the left of the pointing screen, and proceeding to step (d); and (c13) moving the*

pointing screen to the right so that the desired information is included in the pointing screen, when it is determined that the desired information is located on the right of the pointing screen, and proceeding to step (d) (Gupta column 3, lines 30-37) Gupta teaches the left and right vertical masks can be manipulated to fine tune the position of the mask and increase the size to the left or the right or both.

With respect to **dependant claim 4**, Gupta teaches the following:

- *Determining whether the desired information is located above or below the pointing screen, when it is determined that the desired information is not included in the pointing screen; (Gupta column 3, lines 8-10) Gupta teaches the user manipulates the masks based on the desired selection area size and where the user manipulates the mask by using an input device.*
- *Moving the pointing screen up so that the desired information is included in the pointing screen, when it is determined that the desired information is located above the pointing screen, and proceeding to step (d); and moving the pointing screen down so that the desired information is included in the pointing screen, when it is determined that the desired information is located below the pointing screen, and proceeding to step (d) (Gupta column 3, lines 30-37) Gupta teaches the left and right vertical masks can be manipulated to fine tune the position of the mask and increase the size to the left or the right or both.*

With respect to **dependant claim 5**, Wambach teaches the following:

- *Determining whether the desired information is located on the left or right of the pointing screen, when it is determined that the desired information is not included in the pointing screen; (c32) moving the pointing screen to the left so that the pointing screen is located at a same horizontal position as the desired information, when it is*

determined that the desired information is located on the left of the pointing screen;
(c33) Moving the pointing screen to the right so that the pointing screen is located at a same horizontal position as the desired information, when it is determined that the desired information is located on the right of the pointing screen; determining whether the desired information is included in the pointing screen moved in step (c32) or (c33) and proceeding to step (d) when it is determined that the desired information is included in the moved pointing screen; (Gupta column3, lines 8-10) Gupta teaches the user manipulates the masks based on the desired selection area size and where the user manipulates the mask by using an input device. Gupta also teaches the left and right vertical masks can be manipulated to fine tune the position of the mask and increase the size to the left or the right or both. Gupta shows the ability to move the display area in any direction on the screen (Gupta column 3, lines 30-37 and Figures 2-6).

- *Determining whether the desired information is located above or below the moved pointing screen, when it is determined that the desired information is not included in the moved pointing screen; moving the pointing screen up so that the desired information is included in the pointing screen, when it is determined that the desired information is located above the moved pointing screen, and proceeding to step (d); and moving the pointing screen down so that the desired information is included in the pointing screen, when it is determined that the desired information is located below the moved pointing screen, and proceeding to step (d) (Gupta column3, lines 8-10) Gupta teaches the user manipulates the masks based on the desired selection area size and where the user manipulates the mask by using an input device. Gupta also teaches the left and right vertical masks can be manipulated to fine tune the position of the mask and increase the size to the left or the right or both. Gupta shows the ability to move the display area in any direction on the screen (Gupta column 3, lines 30-37 and Figures 2-6).*

With respect to **dependant claim 6**, Wambach teaches the following sub-steps:

- *Determining whether the desired information is located above or below the pointing screen, when it is determined that the desired information is not included in the pointing screen; moving the pointing screen up so that the pointing screen is located at a same vertical position as the desired information, when it is determined that the desired information is located above the pointing screen; moving the pointing screen down so that the pointing screen is located at a same vertical position as the desired information, when it is determined that the desired information is located below the pointing screen; determining whether the desired information is included in the pointing screen moved in step (c42) or (c43) and proceeding to step (d) when it is determined that the desired information is included in the moved pointing screen; (Gupta column3, lines 8-10) Gupta teaches the user manipulates the masks based on the desired selection area size and where the user manipulates the mask by using an input device. Gupta also teaches the left and right vertical masks can be manipulated to fine tune the position of the mask and increase the size to the left or the right or both. Gupta shows the ability to move the display area in any direction on the screen (Gupta column 3, lines 30-37 and Figures 2-6).*
- *Determining whether the desired information is located on the left or right of the moved pointing screen, when it is determined that the desired information is not included in the moved pointing screen; moving the pointing screen to the left so that the desired information is included in the pointing screen, when it is determined that the desired information is located on the left of the moved pointing screen, and proceeding to step (d); and moving the pointing screen to the right so that the desired information is included in the pointing screen, when it is determined that the desired information is located on the right of the moved pointing screen, and proceeding to step (d) (Gupta column3, lines 8-10) Gupta teaches the user manipulates the masks*

based on the desired selection area size and where the user manipulates the mask by using an input device. Gupta also teaches the left and right vertical masks can be manipulated to fine tune the position of the mask and increase the size to the left or the right or both. Gupta shows the ability to move the display area in any direction on the screen (Gupta column 3, lines 30-37 and Figures 2-6).

With respect to **dependant claim 7**, Gupta teaches *the user's motion is sensed by a sensor* (Gupta Figure 2 and column 2, lines 62-65) Gupta teaches the use of a touch sensitive display that will sense the users input or movement.

With respect to **dependant claim 9**, Gupta teaches *At least one of a horizontal size and a vertical size of the pointing screen is set* (Gupta Figures 2-6 and column 3, line 39-47) Gupta expressly shows the horizontal and vertical sizing of the mask overlays on the screen.

With respect to **dependant claim 10**, Gupta teaches *an initial position which is initially pointed at within the pointing screen is set* (Gupta column 3, lines 12-15) Gupta teaches the touch of the screen at the initial point to start sizing the selection mask.

With respect to **dependant claim 13**, Gupta teaches *the full screen corresponds to a graphical-user interface screen* (Gupta figure 2-6). Gupta teaches a desktop computer system with a display screen is used for manipulating objects.

With respect to **dependant claim 14**, Gupta teaches *the sensor performs a unique pointing function like a mouse* (Gupta Figure 2 and column 3, lines 10-16). Gupta teaches the user drags the pointer by touching the screen and can perform the drag and drop functions like a mouse.

With respect to **dependant claim 15**, Gupta teaches *the desired information pointed at is executed* (Gupta Figure 6 and column 3, lines 50-67). Gupta teaches the selection of the image within a mask region and where a text file appears to display more information about the selected region.

With respect to **dependant claim 16**, Gupta teaches the sensor is included in an information input device (Gupta column 3, lines 9-20) Gupta teaches a touch screen for manipulating the cursor where the touch sensor is built into the device.

In regard to **Independent claim 21**, Gupta teaches *the method for pointing at information in a multi-dimensional space and performing functions of a mouse, the method comprising: an information selection step of creating a pointing screen at a portion of a full screen at a user's option such that the pointing screen includes at least one piece of information to be executed; and an information execution step of executing the information included in the pointing screen by clicking the information* (Gupta figure 2 and column 3, lines 55-67). Gupta teaches a method for pointing at multi-dimensional data where the user inputs information through a touch screen and performs drag and drop operations while also sizing the mask overlays either horizontally or vertically (Gupta column 3, lines 9-27). Gupta also teaches where a mouse can be used with the device (see figure 7 and column 4, lines 1-9). Gupta further shows where the user selects the information inside the mask and a text file is opened describing the information shown in the window (see Figure 6).

References to specific columns, figures or lines should not be limiting in any way. The entire reference provides disclosure related to the claimed invention.

Claim Rejections - 35 USC § 103

5. **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

b. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 8, 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al (hereinafter Gupta) U.S. Patent No. 6,738,081, issued May 18, 2004 and filed Dec. 22, 2000 in view of Wambach et al (hereinafter Wambach) U.S. Patent No. 6,097,369, issued Aug. 1, 2000 and filed Feb. 2, 1995.

With respect to **dependent claim 8**, as indicated in the above discussion, Gupta teaches every element of claim 1.

Gupta expressly discloses a mask overlay (pointing screen) where the user can move or resize the selection area in any direction and the system employs either a touch sensitive screen or mouse to aid the user in inputting information (Gupta column 3, lines 8-16 and figures 2-6).

Gupta fails to expressly disclose *the pointing screen is moved by moving the sensor beyond at least one of a horizontal motion range and a vertical motion range, when it is determined that the desired information is not included in the pointing screen in step (c), said at least one of the horizontal motion range and the vertical motion range corresponding to at least one range in which the sensor can be moved to the left/right and upward/downward, respectively, to point at the desired information in step (d)*

Wambach expressly discloses a wearable input device that operates as a mouse to input information into a computer with the user operating the mouse functions by operating buttons incorporated on the glove at the ends of the users fingers. Wambach teaches the horizontal and vertical movement of the sensors within the glove will cause a corresponding movement of the cursor on the display device (Wambach IA, IB and 2A, 28 and column 2, lines 62-67 and column 3, lines 1-15). Gupta and Wambach are analogous art because they are from the same field of endeavor of manipulating a cursor and performing the drag and drop functions of a mouse.

Accordingly, It would have been obvious to one of ordinary skill in the art, having the teachings of Gupta and Wambach before him at the time of the invention was made, to modify the system of Gupta to incorporate a wearable sensor that is moved beyond a horizontal or vertical range to force a corresponding movement in the cursor as taught by Wambach, in order to obtain a system that is able to adjust with the movement of the sensor the horizontal and vertical sizes of the display areas. One would have been motivated to make such a combination because of the need to minimize or eliminate the unnecessary hand movement off of the keyboard to operate a conventional mouse as taught by Wambach.

With respect to **dependant claims 22 and 23**, as indicated in the above discussion, Gupta teaches every limitation of claim 1.

Gupta fails to expressly teach the method wherein *said information is pointed to with a hand device having a sensor, said sensor comprising at least a fixed member disposed on one*

segment of a finger and a moving member disposed on another segment of said finger and wherein said fixed member and said moving member are connected via an axis.

Wambach teaches a glove that the user wears to perform mouse functions. The glove contains switches located on each finger to perform the various functions of the mouse such as drag-n-drop and selection and with an Infrared sensor located on the wrist to control the cursor direction. Wambach also teaches an alternative arrangement (see column 5, lines 15-20) where all of the cursor buttons and the infrared sensor are located on the finger so that all motion sensing devices follow the index finger. Therefore the infrared sensor and the moving switch are located on the same finger but on different sections or segments of the finger.

Additionally, Wambach teaches operations where the system senses when a finger is moved beyond a threshold rotation value that is measured from the plane where the finger normally resides. Which is an example of a switch and a sensor connected by an axis. For example, the finger is rotated from the normal plane of the users hand and lets say the sensor is on the upper portion of the finger and the switch is on the lower. In relation to the resting plane of the hand the system would need to determine the sensor location and the switch for the purposes of computing the threshold value because the center of the plane would be at the sensor and all movements would be calculated in relation to the plane of the sensor. Gupta and Wambach are analogous art because they are from the same field of endeavor of manipulating a cursor and performing the drag and drop functions of a mouse.

Accordingly, It would have been obvious to one of ordinary skill in the art, having the teachings of Gupta and Wambach before him at the time of the invention was made, to modify the system of Gupta to incorporate a wearable sensor and all of the movement control switches into a single finger of the glove as taught by Wambach, in order to obtain a system that is able to adjust with the movement of a single finger. One would have been motivated to make such a combination because of the need to minimize or eliminate the unnecessary hand movement off of the keyboard to operate a conventional mouse as taught by Wambach.

6. **Claims 11-12, 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al (hereinafter Gupta) U.S. Patent No. 6,738,081, issued May 18, 2004 and filed Dec. 22, 2000, in view of IBM et al (hereinafter IBM) "IBM Technical disclosure bulletin, January 1994".**

With respect to **dependant claims 11 and 19**, as indicated in the above discussion, Gupta teaches every element of claim 1.

Gupta expressly discloses an interface where the user may define a selected region (mask) over the selected region of the display and where the information and the mask may then be selected or pointed at by the user (Gupta Figures 2-6 and column1, lines 60-67)

Gupta fails to expressly disclose/teach a *speed at which the pointing screen is moved is set*.

IBM teaches a menu system where the speed of the cursor movement can be set. It is in the examiners interpretation that in order for the window to be moved it must first be selected. Which would create a cursor selection of the window and in setting the cursor speed the corresponding speed of the window movement can be set. IBM and Gupta are analogous art because they are from the same field of endeavor of providing user interface controls for selecting user options.

Accordingly, It would have been obvious to one of ordinary skill in the art, having the teachings of Gupta and IBM before him at the time of the invention was made, to modify the system of Gupta to incorporate a menu for setting the cursor speed, in order to obtain a system that is able to adjust speed at which a selected window can move across the screen. One would have been motivated to make such a combination because of the need to be able to customize the desktop to different and multiple users needs at different times as taught by IBM.

With respect to **dependant claims 12 and 20**, as indicated in the above discussion, Gupta teaches every element of claim 1.

Gupta fails to expressly teach a *degree of reaction to the user's motion of a pointer displayed in the pointing screen, is set*.

IBM expressly teaches the ability to adjust through menu settings the system settings for mouse controls, cursor movement, click speed and other settings that allow for customization of the desktop to a given user or group (IBM page 1, lines 20-30). IBM and Gupta are analogous art because they are from the same field of endeavor of providing user interface controls for selecting user options.

Accordingly, It would have been obvious to one of ordinary skill in the art, having the teachings of Gupta and IBM before him at the time of the invention was made, to modify the system of Gupta to incorporate a menu for setting the degree of reaction of the cursor, in order to obtain a system that is able to allow a user to set the sensitivity to movement and how far the cursor will move with a corresponding movement of the users input on the screen or through the mouse. One would have been motivated to make such a combination because of the need to be able to customize the desktop to different and multiple users needs at different times as taught by IBM.

With respect to **dependant claim 17**, as indicated in the above discussion, Gupta teaches every element of claim 9.

Gupta expressly discloses the ability to adjust the horizontal and vertical size of the selection area through the use of a mouse or direct input on a touch screen.

Gupta fails to expressly disclose the preparing a size menu used for setting said at least one of the horizontal size and the vertical size.

IBM expressly teaches a menu system to be used in a graphical interface for setting the window sizes on the display, which would include the horizontal and vertical size of a display window. It is in the examiners interpretation, that for usability purposes most graphical systems incorporate multiple methods for adjusting settings on the desktop. For example, menus,

shortcuts, icons, hotkeys, mouse functions etc are typically deployed to provide a second and sometimes third method for the user to access a given function, for the purpose of shortening the process of executing the task.

Accordingly, It would have been obvious to one of ordinary skill in the art, having the teachings of Gupta and IBM before him at the time of the invention was made, to modify the system of Gupta to incorporate a menu for setting the horizontal and vertical window sizes, in order to obtain a system that is able to allow a user to set the window size through a menu. One would have been motivated to make such a combination because of the need to be able to customize the desktop to different and multiple users needs at different times as taught by IBM.

With respect to **dependant claim 18**, as indicated in the above discussion, Gupta teaches every element of claim 10.

Gupta expressly discloses the ability to adjust or set the initial position of the selection window (column 3, lines 10-15).

Gupta fails to expressly teach a *preparing a **size menu** used for setting **the initial position***.

IBM expressly teaches a system for customizing desktop properties through a series of menus, which includes mouse and cursor controls where the desktop appearance and location of objects can be controlled (IBM, page 1, lines 20 – 40).

Accordingly, It would have been obvious to one of ordinary skill in the art, having the teachings of Gupta and IBM before him at the time of the invention was made, to modify the system of Gupta to incorporate a menu for setting for the initial cursor position within the selection window, in order to obtain a system that is able to allow a user to set starting point of the cursor. One would have been motivated to make such a combination because of the need to be able to customize the desktop to different and multiple users needs at different times as taught by IBM.

References to specific columns, figures or lines should not be limiting in any way. The entire reference provides disclosure related to the claimed invention.

Response to Arguments

7. Applicant's arguments filed 09/15/2005 have been fully considered but they are not persuasive. *Applicant's argument that Gupta does not teach determining or pointing at the desired information*
- Applicants argue that Gupta does not teach the determining whether the desired information to be pointed at is included in the set pointing screen and pointing at the desired information included in the pointing screen because the applicant argues that Gupta does not disclose the determining of information is in the pointed screen (See applicants argument Page 9, Para 1, lines 1-10).
- The Examiner disagrees.

In the background of the invention section of Gupta, (see column 1, lines 5-56), Gupta teaches that the requirement to select a region of a given subject image in a display is well known (see column 1, lines 13-15). Gupta further teaches the method as taught in Microsoft PhotoEditor 3.0 of manipulating a display where markers are moved to shape a selected region for selection is also well known in the art and thus Gupta states that the well known selection technique is not discussed in the invention (See column 2, lines 20-25).

Moreover, claim 1 as recited, where the limitation starting with "wherein at least one of steps (a), (c) and (d) is performed... In a claim of this type, the prior art only need to teach one of step a, c or d, along with (b) to meet the limitations of the claim. Therefore, Gupta teaches at least one of the limitations of the claim. For example, Gupta teaches a process of moving a set of masks, (figures 1 -5, #'s 12-15) though the use of a pointer, or finger on a touch screen where the user adjusts the window like masks by selecting the corners and resizing in combination all four masks to cover the unwanted sections of the image for the purposes of highlighting a specific region of the image. In viewing the steps of Gupta, (figures 2-5) one of ordinary skill in the art can

see that the resulting image selection window as shown in figure 6 with the masks adjusted provides a setting of a portion of a full screen as a pointing screen. As, has already been discussed it is known in the prior art on how to select a specific region of an image.

Additionally, Gupta expressly teaches the selection of a discrete point anywhere within the region (See column 2, lines 20-25) and where the result of the manipulation of the masks over the image results in a selection region (See column 3, lines 55-58). Gupta further teaches the limitations of step (C), when interpreted by the Examiner, where the user determines if the desired information is located in the selection window and then the user, by way of user motion of the input device, moves the pointing area either up, down, left or right. Gupta shows in figures 2-5 the process of adjusting the selection area with up, down, left and right motions (See figures 2-5 and column 3, lines 17-47).

Applicant's argument that there is no initial position set in the pointing screen

Applicant argues that there is no mention of an initial position set in the pointing screen because the applicant states the function is not disclosed within Gupta (See argument Page 9, Para 3, lines 1-6).

The Examiner disagrees.

Gupta expressly teaches the initial pointing setting for each of the four masks as being located where the user touches the screen with a finger or moves a cursor in the screen and selects with the input device. Once the selection, drag and drop and release operation has been performed then the selection point will be set to a position vertically or horizontally displaced from the initial position. Further, Gupta teaches the process of selecting a designated region from an image is well known in the art as discussed above.

Applicant's argument that the prior art does not teach the creating a pointing screen where the screen includes at least one piece of information to be executed.

Art Unit: 2179

Applicant argues that Gupta et al does not teach "the information selection step of creating a pointing screen at a portion of a full screen at the users option such that the pointing screen includes at least one piece of information to be executed" because the applicant interprets the prior art of Gupta of disclosing a image in the selection region but not a executable in the region (See argument page 9, Bottom and Page 10, Top).

The Examiner disagrees.

Gupta teaches the process of setting a selection region through the use of overlapping masks for the purposes of highlighting only the region of interest for the user in a more efficient and expedited manner (See column 1, lines 49-56). The masks specifically cover the areas not to be selected as shown in figure 6 where the skeletal image region of the chest is shown with the other areas masked. If the mask covers a particular region then a mouse pointer or any other input device could not select the region. Additionally, Figure 6 shows the display of related medical records retrieved from the system where the information are extracts from the overall medical record. Which implies the system determines from the selected region of the image the specific information to retrieve and display to the user as shown in Figure 6. (See also column 3, lines 47-67). Additionally, as mentioned above the process of selecting a region of an image for the purposes of focusing on the selected region is well known in the art.

Applicant's argument the Gupta does not disclose a speed setting for the pointing screen

Applicant argues that the Examiner assumption and interpretation of Gupta in view of IBM is incorrect because the cursor speed setting could be overwritten by a pointer screen (See argument page 10, Para 5, lines 1-5).

The Examiner disagrees.

The Examiner refers to the claim as recited " *The method of claim 1, wherein step (a), a speed at which the pointing screen is moved is set.* The Examiner argues that the argument as presented is incommensurate with the scope of the claim as recited. Nowhere in the claim does it state that the pointing screen could not be set to the cursor speed. Further, as the examiner argues in the above rejection of the dependent claims 11 and 19, Gupta in view of IBM teaches the function of

Art Unit: 2179

allowing a user to set any number of parameters on the display, which includes cursor speed, mouse controls, and other features to facilitate user interaction that could include any other area on the display.

Moreover, The selection event would need to be through some type input device as disclosed in the present specification application (Para 0064) where the input device mimics a mouse. The feature of setting a cursor speed on a display for an input device would be at least obvious if not inherent in the teachings of Gupta in view of IBM because they both teach the use of input devices and displays and selecting and moving information with a cursor on a display. Further, it also known in the common art that most operating systems include a control panel for setting the display properties and input device controls.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. Theriault whose telephone number is (571) 272-5867. The examiner can normally be reached on M-F 7:30 - 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SBT



WEILUN LO
SUPERVISORY PATENT EXAMINER